

JAN 31 2007

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ATTORNEYS AT LAW

FAX COVER PAGE

DATE: January 31, 2007

PAGES INCLUDING THIS PAGE: 20

TO: Examiner Anuradha Ramana
COMPANY: Group Art Unit 3733

FAX NUMBER: 571-273-8300
PHONE NUMBER:

FROM: Douglas A. Collier

DIRECT DIAL: (317) 238-6333

FAX NUMBER: (317) 636-1507

RE: Re-Submission of Response to Office Action for U.S. Patent App. No. 10/603,471 to Larry Gause, et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

January 31, 2007
(Date of Transmission)

Douglas A. Collier
Name of Registered Representative


Signature
Hard copy will be sent via: ☐ Regular Mail☐ Overnight Courier☒ Fax Communication Only

Name of Sender: Cheryl Kalugyer

Client Matter No.: 333 MSDI-1

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ONE INDIANA SQUARE
SUITE 2800
INDIANAPOLIS, IN 46204
TELEPHONE-(317) 636-4341
FAX-(317) 636-1507

KRIEG DEVAULT LLP
12800 N MERIDIAN STREET
SUITE 300
CARMEL, IN 46032
TELEPHONE-(317) 566-1110
FAX-(317) 636-1507

KRIEG DEVAULT GALVIN
LLP
5231 HOHMAN STREET
HAMMOND, IN 46320
TELEPHONE-(219) 933-0380
FAX-(219) 933-0471

KRIEG DEVAULT LUNDY
LLP
825 ANTHONY WAYNE
BUILDING
203 EAST BERRY STREET
FT. WAYNE, IN 46802
TELEPHONE-(260) 422-1534
FAX-(260) 423-1590

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
Larry Gause et al.)	Anuradha Ramana.
)	
Application Serial No. 10/603,471)	Group Art Unit 3733
)	
Filed June 25, 2003)	Ref. No.: MSDI-259/
)	PC757.00
SYSTEM FOR STABILIZING A PORTION)	
OF THE SPINE)	January 31, 2007

RE-SUBMISSION OF RESPONSE TO FIRST OFFICE ACTION

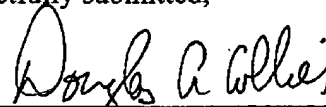
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A phone call was received from Examiner Ramana on January 31, 2007, indicating a problem occurred in transmission of the October 17, 2006, response to the non-final Office Action of July 20, 2006, and that only the first two pages were received. Accordingly, as requested by Examiner Ramana, a copy of the response is submitted herewith. If further information is needed, please do not hesitate to contact the undersigned.

Respectfully submitted,

By: _____



Douglas A. Collier
Reg. No. 43,556
Krieg DeVault LLP
One Indiana Square, Suite 2800
Indianapolis, Indiana 46204-2079
(317) 238-6333 voice

Doc.892418

Re-Submission of Response to Office Action
Application Serial No. 10/603,471
Page 1 of 1

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DATE: October 17, 2006

PAGES INCLUDING THIS PAGE: 18

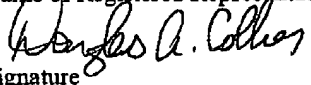
TO: Examiner Anuradha Ramana
COMPANY: Group Art Unit 3733FAX NUMBER: 571-273-8300
PHONE NUMBER:

FROM: Douglas A. Collier

DIRECT DIAL: (317) 238-6333
FAX NUMBER: (317) 636-1507

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

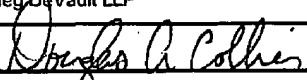
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/603,471	
	Filing Date	June 25, 2003	
	First Named Inventor	Larry Gause, et al.	
	Art Unit	3733	
	Examiner Name	Anuradha Ramana	
Total Number of Pages in This Submission	17	Attorney Docket Number	MSDI-259/PC757.00

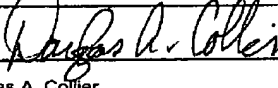
ENCLOSURES (Check all that apply)		
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Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Douglas A. Collier		
Date	October 17, 2006	Reg. No.	43,556

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Douglas A. Collier	Date	October 17, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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RESPONSE TO FIRST OFFICE ACTION

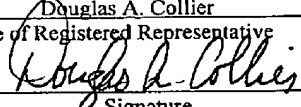
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated July 20, 2006, please enter and consider the following. No fees or extensions of time are believed due for consideration of this response. Please provide any extensions of time necessary and charge any fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is
being facsimile transmitted to the United States
Patent and Trademark Office at 571-273-8300
on:

Oct. 17, 2006
(Date of Transmission)

Douglas A. Collier
Name of Registered Representative

Signature

Oct. 17, 2006
Date of Signature

Response to Office Action
Application Serial No. 10/603,471
Page 1 of 16